

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

KARSTEN SCHUH, individually and on)
behalf of all others similarly situated)

v.)

HCA HOLDINGS, INC.; RICHARD)
M. BRACKEN; R. MILTON JOHNSON;)
CHRISTOPHER J. BIROSAK; JOHN)
P. CONNAUGHTON; JAMES D.)
FORBES; KENNETH W. FREEMAN;)
THOMAS F. FRIST, III; WILLIAM)
R. FRIST; CHRISTOPHER R.)
GORDON; MICHAEL W.)
MICHELSON; JAMES C. MOMTAZEE;)
STEPHEN G. PAGLIUCA; NATHAN C.)
THORNE; MERRILL LYNCH, PIERCE,)
FENNER & SMITH INCORPORATED;)
CITIGROUP GLOBAL MARKETS)
INC.; J.P. MORGAN SECURITIES)
LLC; BARCLAYS CAPITAL INC.;)
CREDIT SUISSE SECURITIES (USA))
LLC; DEUTSCHE BANK SECURITIES)
INC.; GOLDMAN SACHS & CO.;)
MORGAN STANLEY & CO.)
INCORPORATED; and WELLS FARGO)
SECURITIES, LLC)

No. 3-11-1033

Consolidated with Nos. 3-11-1098
and 3-11-1170

ORDER

The following housekeeping matters are addressed:

1. The motion of the Underwriter Defendants to appear pro hac vice (Docket Entry No. 226) is GRANTED.

Jayme A. Feldheim is hereby admitted to practice on behalf of the Underwriter Defendants.

The Clerk is directed to enter Jayme A. Feldheim as counsel for the defendants listed on the motion at the same address and telephone number listed for Lawrence Portnoy.

2. The HCA defendants' motion for leave to file under seal (Docket Entry No. 222) is GRANTED.

The Clerk is directed to maintain UNDER SEAL the response and supplemental declaration of Lisa Henson (Docket Entry Nos. 223 and 224) in opposition to the plaintiff's motion for leave to submit newly discovered evidence in support of motion to compel (Docket Entry No. 217).

3. The motion filed by HCA Holdings, Inc. for leave to file reply under seal (Docket Entry No. 179) is GRANTED.

The Clerk is directed to maintain UNDER SEAL the reply filed by the HCA defendants (Docket Entry No. 180) to plaintiff's response (Docket Entry No. 177) to the supplemental declaration of Lisa Henson (Docket Entry No. 171).

4. The plaintiff's motion for leave to file plaintiff's proposed ESI protocol and accompanying exhibits under seal (Docket Entry No. 175) is GRANTED.

The Clerk is directed to maintain UNDER SEAL plaintiff's proposed ESI protocol (Docket Entry No. 176).

5. The plaintiff's motion for leave to file document under seal (Docket Entry No. 163) is GRANTED.

The Clerk is directed to maintain UNDER SEAL Exhibit A (Docket Entry No. 164) to the declaration of Scott H. Saham (Docket Entry No. 161-2) in support of the plaintiff's motion to compel (Docket Entry No. 161).

6. Although it remains somewhat unclear why disclosures to the government necessarily warrant under seal protection, with some reluctance, the motion of the HCA defendants for transcript redaction and to file proposed redactions under seal (Docket Entry No. 157) is GRANTED.

The Clerk is directed to maintain UNDER SEAL the unredacted transcript of the September 6, 2013, proceeding (Docket Entry No. 158).

Counsel for the HCA defendants shall contact Ms. Suffridge to make arrangements for a redacted version of the proceeding to be filed for public view, in accord with the practices and procedures of the Clerk.

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge